



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Selifonov et al.

Application No.: 09/494,282

Filed: January 18, 2000

Title: METHODS FOR MAKING CHARACTER
STRINGS, POLYNUCLEOTIDES AND
POLYPEPTIDES HAVING DESIRED
CHARACTERISTICS

Attorney Docket No.:
MXGNP001X1/0124.410US

Examiner: Shubo Zhou

Group: 1631

#35
Plunkett
11/4/02

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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail to: Commissioner for Patents, Washington, DC 20231 on October 18, 2002.

Signed: _____

Leslie Russell

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, DC 20231

Dear Sir:

In response to the Restriction Requirement dated September 18, 2002, Applicant hereby elects, with traverse, Group II, claims 99-101 to prosecute in the above-identified patent application.

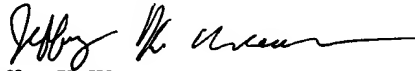
It is respectfully submitted that the claims of Group II and III are not properly separated. The Examiner can see that the operations (a) through (c) in both independent claim 99 and independent claim 102 are essentially identical. The only real difference comes about in the fact that claim 102 recites code for performing the various method steps recited in claim 99. Since the inventive concepts of both groups is directed to computational procedures (note that method claim 99 recites computationally manipulating and computationally selecting), any search for the methods of Group II must necessarily embody a search of the computer program products of Group III. It is respectfully submitted that it would be impossible to properly search the art of one of these groups independently of the other. It is also respectfully submitted that it would not

constitute an undue burden to examine both Groups II and III together. Withdrawal of the Restriction Requirement with respect to Groups II and III is respectfully requested.

If any fees are due in connection with the filing this Response to Restriction Requirement, the Commissioner is hereby authorized to charge such fees to Deposit Account 500388 (Order No. MXGNP001X1).

Respectfully submitted,

BEYER WEAVER & THOMAS, LLP

A handwritten signature in black ink, appearing to read "Jeffrey K. Weaver", written over a horizontal line.

Jeffrey K. Weaver

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Leslie Russell

TRANSMITTAL

Commissioner for Patents
Washington, DC 20231

Sir:

Transmitted herewith is a Response to Restriction Requirement in the above-identified application.



Applicant(s) hereby petition for a _____ month extension(s) of time to respond to the
aforementioned Office Action.



Applicant(s) believe that no (additional) Extension of Time is required; however, if it is
determined that such an extension is required, Applicant(s) hereby petition that such an extension
be granted and authorize the Commissioner to charge the required fees for an Extension of Time
under 37 CFR 1.136 to Deposit Account No. 500388.

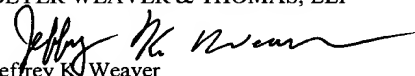


Enclosed is our Check No. _____ in the amount of \$ _____ to cover the additional
claim fee and/or extension of time fees.



Please charge any fees required to facilitate filing the enclosed response, to Deposit Account No.
500388 (Order No. MXGNP001X1).

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP


Jeffrey K. Weaver
Reg. No. 31,314

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